

REMARKS

Claims 9-34 are pending in the present application. Of these, claims 16-34 have been withdrawn from consideration. In this amendment, Applicants amend claim 9.

In the Office Action mailed March 1, 2004, the Examiner rejected claims 9-14 under 35 U.S.C. 103(a) as being unpatentable over Nagasawa et al. (U.S. Patent No. 5,446,744 A), hereinafter referred to as "Nagasawa," in view of Wright (U.S. Patent No. 6,445,702 B1), hereinafter referred to as "Wright." Furthermore, the Examiner rejected claim 15 under 35 U.S.C. 103(a) as being unpatentable over Nagasawa in view of Wright, and further in view of Tanaka (U.S. Patent No. 5,740,187 A), hereinafter referred to as "Tanaka."

Claim Rejections – 35 USC § 103

Claims 9-14 stand rejected as obvious over Nagasawa in view of Wright.

Applicants' claim 9, and thereby all respective dependent claims, have the feature "the outer quality metric being used for protection of the plurality of information bits and the inner quality metric being used for protection of the at least one group of information bits of the particular class." In other words, the outer quality metric and the inner quality metric operate independently, so that if at the receiver the outer quality metric shows an erasure on the entire frame, the inner quality metric can be used to check the integrity of a group of information bits of a particular class. Please see page 6 line 33 through page 7, line 4 of Applicants' specification as originally filed.

Nagasawa, on the other hand, states in column 6, lines 54-60 that the "since the error correction can be made for the boundary information by using the error correction code and the false correction of the error correction code can also be detected by using the error detection code in this embodiment...." The false correction of the error correction code can only occur if one error code depends on the other error correction code. This dependence of the error codes is further evidenced by FIG. 4 where the boundary information error detection coding 13 is fed to the overall error correction coding 15. Therefore, Nagasawa, individually or in combination with Wright, does not teach or suggest independent inner and outer quality metrics as in Applicants' claim 9. As Nagasawa, individually or in combination with Wright, does not teach or suggest all

features of Applicants' claim 9 or the respective dependent claims, there is no *prima facie* case of obviousness. Claims 9-14 are patentable and should be allowed.

Applicants, however, amend claim 9 to add "wherein the outer quality metric and the inner quality metric are determined independently" in order to highlight the distinction discussed above and to expedite prosecution.


Applicants' claim 15 is also allowable because Nagasawa, in combination with Wright and Tanaka, does not teach or suggest all of the features in this claim, specifically that the outer and inner quality metrics operate independently.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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